

ADMINISTRATIVE LAW JUDGE SERVICES CONTRACT

THIS AGREEMENT, entered into this ____ day of _____, 2003, by and between LEON COUNTY, FLORIDA, hereinafter referred to as "COUNTY," and the State of Florida, Division of Administrative Hearings, hereinafter referred to as "DOAH."

WHEREAS, Leon County Ordinance No. 90-31, adopted July 16, 1990, requires that the County provide administrative procedures and standards by which a property owner may demonstrate that private property rights have vested against the provisions of the 2010 Comprehensive Plan; and

WHEREAS, Leon County Land Development Code Section 10-1485 provides that the County may contract with DOAH for hearing officers to hear appeals of applicants for site and development plan reviews; and

WHEREAS, it has been determined by the COUNTY and DOAH that a contractual arrangement for the provision of Administrative Law Judges is available for the above-stated purposes under the authority of Section 120.65(7), Florida Statutes;

NOW, THEREFORE, for valuable consideration and the mutual promises between the parties hereto, it is agreed as follows:

1. Scope of Services: DOAH agrees to make available to COUNTY, Administrative Law Judges who function as full-time Judges for the State of Florida, Division of Administrative Hearings, to conduct hearings as provided by statute. Such Administrative Law Judges shall, where possible, be persons familiar with cases involving the issues at hand.
2. Compensation: COUNTY agrees to compensate DOAH the sum of One Hundred Dollars (\$100.00) per hour for an Administrative Law Judge's services in preparing for,

traveling to, conducting hearings, and preparing Recommended and Final Orders. Additionally, COUNTY agrees to pay the actual travel expenses of the Judge in accordance with the provisions of Chapter 112, Florida Statutes. DOAH agrees, whenever possible, to arrange the travel schedule of such Judge in such a manner that the Judge can accomplish other work during a trip, and, in such instances, travel expenses and hourly compensation will be prorated for services to COUNTY. DOAH agrees to provide COUNTY an itemized statement of the charges and costs described therein. COUNTY agrees to remit payment in accordance with Chapter 218, part VIII, Florida Statutes.

3. Court Reporter: Effective July 1, 1994, DOAH implemented an in-house court reporting program. These court reporters are the official reporters for DOAH and will be utilized as the court reporters in any hearings in Leon County within this Agreement. COUNTY agrees to compensate DOAH at the current rate (attachment 1) for any transcripts ordered by COUNTY. If DOAH court reporters are not available, DOAH will secure an outside court reporter for the hearing. COUNTY will be responsible for the appearance fee charged by the outside court reporter regardless of whether COUNTY orders the transcript. COUNTY will also be responsible for the transcript fee charged by the outside reporter, if COUNTY orders the transcript.

4. Video Teleconferencing: In the event a hearing is being conducted by video teleconferencing, COUNTY will be responsible for reimbursing DOAH at the current video teleconferencing rate (attachment 2) for the time the equipment is used.

5. Contract Management: Contract management under this Agreement shall be provided by Deputy Chief Judge Harry Hooper.

6. Term: This Agreement is for a term of one (1) year, and may be amended from time to time by mutual agreement of the parties, and may be terminated by either party for the convenience of that party upon thirty (30) days' written notice. This Agreement shall be automatically renewed for succeeding one (1) year period, unless cancelled as provided herein.

7. Request for Services: COUNTY, in order to request the services of an Administrative Law Judge, shall initiate a letter to the Chief Judge, Division of Administrative Hearings, requesting the services of an Administrative Law Judge and shall include with such request a copy of any materials relevant to the request. DOAH agrees to make every effort to provide an Administrative Law Judge within thirty (30) days of its receipt of the letter initiating such request.

LEON COUNTY, FLORIDA

STATE OF FLORIDA, DIVISION
OF ADMINISTRATIVE
HEARINGS

By: _____
Chairman, Board of County
Commissioners

By: _____
Harry L. Hooper
Deputy Chief Judge

APPROVED AS TO FORM
LEON COUNTY ATTORNEY'S OFFICE
Leon County, Florida

ATTEST:
Bob Inzer
Clerk of the Circuit Court
Leon County, Florida

By: _____

By: _____

November 26, 2002

NOTICE

Effective December 1, 2002, the fees of the in-house court reporting program of the Division of Administrative Hearings are:

Regular transcript delivery - \$3.10 per page
72-hour transcript delivery - \$5.00 per page
24-hour transcript delivery - \$7.50 per page

ASCII disk of transcript - with purchase of printed transcript -
\$5.00 per volume.

Daily ASCII rough draft of transcript -
\$6.00 per page provided on disk (includes fee for final transcript, if ordered)

Compressed copy - \$15.00 per volume.

Concordance index - \$15.00 per volume

Realtime - \$20.00 per hour (over and above transcript cost)

DEPARTMENT OF MANAGEMENT SERVICES
FLORIDA GOVERNMENT
TELECONFERENCING NETWORK
RATES

POINT-TO-POINT VIDEOCONFERENCES (TWO ROOMS):

DMS PROVIDED ROOMS	@1/2 T-1 BANDWIDTH = \$125.00/hour @1/4 T-1 BANDWIDTH = \$100.00/hour*
USER OWNS ONE ROOM	@1/2 T-1 BANDWIDTH = \$100.00/hour @1/4 T-1 BANDWIDTH = \$ 75.00/hour*
USER OWNS BOTH ROOMS	@1/2 T-1 BANDWIDTH = \$ 72.00/hour @1/4 T-1 BANDWIDTH = \$ 36.00/hour*

MULTI-ROOM VIDEOCONFERENCES (THREE OR MORE):

DMS PROVIDED ROOMS	@1/2 T-1 BANDWIDTH = \$100.00/hr/rm @1/4 T-1 BANDWIDTH = \$ 75.00/hr/rm*
--------------------	---

(Deduct \$25.00/hour for each user owned room.)

(*1/4 T-1 Bandwidth recommended for most videoconference users)

Half-hour minimum use. 48-Hour cancellation fee (equal to one hour of scheduled use).

<u>CITY</u>	<u>VIDEO ROOM LOCATION</u>	<u>ROOM #</u>
TALLAHASSEE	CAPITAL CIRCLE OFFICE CENTER	301 (Bldg 4030)
	CAPITAL CIRCLE OFFICE CENTER	101 (Bldg 4050)
	NORTHWOOD CENTRE (DBPR)	129
FT. LAUDERDALE	THE 110 TOWER (ATTORNEY GENERAL)	10 th FLOOR
FT. MYERS	REGIONAL SERVICE CENTER	165-A
JACKSONVILLE	REGIONAL SERVICE CENTER	A-300
MIAMI	ROHDE BUILDING	N-106
ORLANDO	HURSTON BUILDING	N-101
PENSACOLA	JAMES BUILDING	501A
TAMPA	TRAMMELL BUILDING	608
WEST PALM BEACH	DIMICK BUILDING	114-C

(All locations will seat up to 20, except Ft. Lauderdale will only seat up to 12.)

(850) 487-2000: Doris Reagan, Wiley James, or Dennis Watson

revised 3/26/95
WJralsheet

PLEASE NOTE THAT ONLY THE "1/4 T-1" RATES APPLY TO THE DIVISION OF ADMINISTRATIVE HEARINGS.